

frequently depend on the flexibility to provide fill-in service, based on authorized but not yet constructed sites, during the start-up phase of a new system. For instance, it may become necessary to construct a downtown location not originally identified as critical and not initially applied for, prior to constructing the sites surrounding it which qualify it as a fill-in. Until and unless the Commission adopts the area licensing scheme proposed by PageNet, it must preserve such mechanisms which licensees rely upon in their efforts to design, build and expand their systems in the most cost-effective and efficient manner in order to provide the earliest and lowest-cost service to the public.

I. Assignment of Mobile Frequencies for Use on Base Station Transmitters Must be on a Primary Basis

In Section 22.147(b) the Commission has proposed to condition the licensing of VHF and UHF mobile frequencies for base and fixed transmitter use. The condition would allow for the suspension of operations where "actual interference" occurs as a result of such operations. This rule must be clarified to state that use of mobile frequencies for base stations is on a primary basis, with the requirement that interference resulting from such operations must be resolved by the affected parties, subject to the Commission's ultimate authority to terminate the operations where the interference cannot be cured within a reasonable period of time. In view of the need to guarantee continuity of service for customers, any assignment of frequencies for use at base

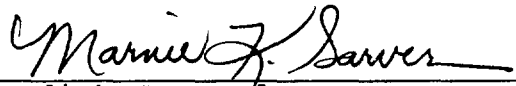
transmitters that is secondary in nature makes the frequency unacceptable for use as a paging channel. Licensees cannot justify placing their services at risk of being summarily suspended. Therefore, Section 22.147(b) must be clarified with respect to the use of mobile frequencies at base stations to state that such use is primary.

III. CONCLUSION

In almost all respects the Commission's proposed rewrite of Part 22 lays a solid foundation for the future growth and rapid deployment of paging services throughout the country. The changes proposed by PageNet with respect to area licensing of paging systems on a first come, first served basis, and other revisions contained in PageNet's Comments and in this Reply, will further enhance the development and provision of high quality, low cost paging service to customers nationwide, and should be adopted.

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